

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Health Insurance Plan of New York

SUMMONS IN A CIVIL ACTION

V.

Aventis Pharmaceuticals, Inc.

CASE NUMBER: **07 CV 6785**

JUDGE BAER

TO: (Name and address of Defendant)

Aventis Pharmaceuticals, Inc.
55 Corporate Drive
Bridgewater, NJ 08807

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

David S. Nalven
Hagens Berman Sobol Shapiro LLP
One Main Street, 4th Floor
Cambridge, MA 02142

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 27 2007

CLERK

DATE

(By) DEPUTY CLERK

COURT UNITED STATES DISTRICT COURT
COUNTY OF SOUTHERN DISTRICT OF NEW YORK
HEALTH INSURANCE PLAN OF NEW YORK

Index No. 07 CV 6785

Plaintiff(s)
against
AVENTIS PHARMACEUTICALS, INC.
Defendant(s)

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**
SEE ATTACHED RIDER

STATE OF NEW YORK, COUNTY OF NEW YORK SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at NORTH BRUNSWICK, NEW JERSEY
That on 8/3/07 at 9:15 A.M., at 55 CORPORATE DRIVE, BRIDGEWATER, NEW JERSEY (LOBBY)
deponent served the within summons, and complaint on AVENTIS PHARMACEUTICALS, INC. defendant therein named,
SEE ATTACHED RIDER

INDIVIDUAL
1. ☐ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.
CORPORATION
2. ☒ a DOMESTIC corporation, by delivering thereat a true copy of each to SANDI STUCKERT personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.
SUITABLE AGE PERSON
3. ☐ by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
AFFIXING TO DOOR, ETC.
4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE
USE WITH 3 OR 4
5A. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
MAILING TO BUSINESS
USE WITH 3 OR 4
5B. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH 1, 2, OR 3
☒ Male ☒ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.
☒ Female ☐ Black Skin ☒ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☒ 5'4"-5'8" ☒ 131-160 Lbs.
☐ Brown Skin ☐ Gray Hair ☐ Beard ☒ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.
☐ Red Skin ☐ Red Hair ☒ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

USE IN NYC CIVIL CT.
☐ The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY SERVICE
☐ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on
8/8/07

JOHN DICANIO
Notary Public, State of New York
No. 01DI497768
Qualified in Westchester County
Commission Expires Feb. 11, 2011

PRINT NAME BENEATH SIGNATURE
ADRIANO GINES

License No. 845419

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HEALTH INSURANCE PLAN OF
NEW YORK

CASE NO.
07 CV 6785

RIDER TO AFFIDAVIT
OF SERVICE

-AGAINST-

AVENTIS PHARMACEUTICALS, INC.
-----X

LIST OF DOCUMENTS SERVED:

- SUMMONS IN A CIVIL CASE
- CLASS ACTION COMPLAINT
- CIVIL COVER SHEET
- RULE 7.1 STATEMENT
- INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK
- INDIVIDUAL PRACTICES OF JUDGE HAROLD BAER, JR.